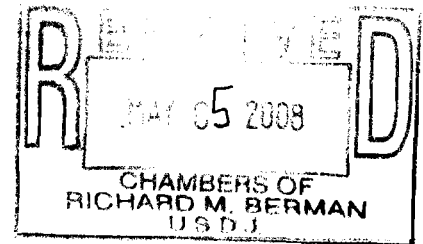




STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



ANDREW M. CUOMO
Attorney General

MEMO ENDORSED

p2

[212-416-8118]

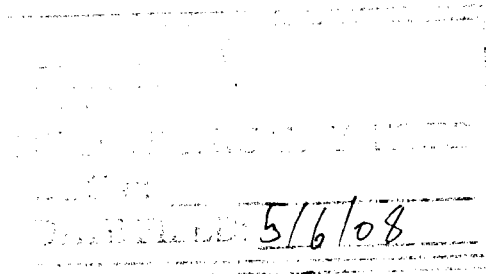
LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

May 2, 2008

BY HAND DELIVERY

Honorable Richard Berman
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007



Re: Emanuel v. State of New York, et. al., 08 CV 1250 (RMB)

Your Honor:

I am the Assistant Attorney General in the Office of Andrew M. Cuomo, Attorney General of the State of New York, newly assigned to the defense of this matter. I write on behalf of the defendants to respectfully request a two week enlargement of time to respond to the complaint, from May 5, 2008 to May 21, 2008.¹ I also respectfully request an adjournment of the Initial Pre-Trial Conference currently scheduled for May 12, 2008 at 9:15 a.m. to a date that is convenient to the court, preferably two weeks after the defendant have responded to the complaint. Plaintiff consents to these requests.

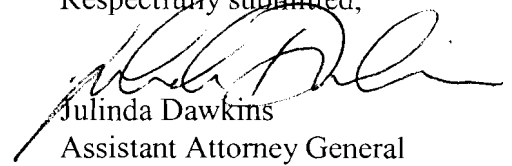
An enlargement is necessary for me to review the underlying documents, discuss the allegations with the defendants and prepare an appropriate response to the allegations in the complaint.

This is defendants' second request for an extension of time to respond and our first request for an adjournment of the Initial Pre-Trial Conference. Accordingly, I request that


¹The time requested includes May 19, 2008 and May 20, 2008, when I will be away from the office.

defendants' time to respond to the complaint be enlarged to May 21, 2008 and that the Initial Pre-trial Conference be adjourned to a date determined by the Court.

Respectfully submitted,


Julinda Dawkins
Assistant Attorney General

cc: Mr. Rocco G. Avallone, Esq.
Cronin & Byczek, LLP
Attorneys and Counselors at Law
The Fountains at Lake Success
1983 Marcus Avenue, Suite C-120
Lake Success, NY 11042
By Fax: 516-358-1730

Extension Granted.	
Conference adjourned to	
5/29/08 @ 9:15 AM	
SO ORDERED:	
Date: 5/6/08	
Richard M. Berman, U.S.D.J.	